

EXHIBIT HH

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

- - - - - X
EQUAL EMPLOYMENT OPPORTUNITY :
COMMISSION, :
Plaintiff, :
KATHY C. KOCH, : Case No
Intervenor/Plaintiff, : WDQ-02-CV-648
v. :
L.A. WEIGHT LOSS CENTERS, INC., :
Defendant. :
- - - - - X Pages 1-105

DEPOSITION OF PATRICIA L. BURROUGHS
Waldorf, Maryland
Wednesday, February 2, 2005

Reported by: Marijane Simon, RDR, CSR
Job No. 165474

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1 referring to in your question.

2 Q. All right. Sitting here today, can
3 you remember anything that was said about hiring
4 men or not hiring men during the training session
5 other than what you've read in Burroughs No. 1?

6 A. No.

7 Q. Now, sitting here today, do you have a
8 recollection of what was said at the meeting about
9 hiring men?

10 A. Yes.

11 Q. Now, do you remember that because you
12 just read it, or do you remember it because
13 reviewing your statement refreshed your
14 recollection?

15 A. I -- That scene is like a photograph.

16 Q. Okay.

17 A. Okay. I can see the people standing
18 there in their positions when the statement was
19 made.

20 Q. All right. Can you please tell me --
21 Can you please describe for me that photograph?

22 A. Okay. I'm sitting like I am facing

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1 you, and I really -- The one that was introduced
2 can't -- That was the regional manager -- was
3 standing over to my right. And I do believe that
4 Kristi was standing to the left when those
5 statements were made.

6 And I -- Kathy Koch was sitting beside
7 me. Okay?

8 Q. Yes.

9 A. And I just remember saying: Oh. Just
10 to myself. And I said, That's a bucket of worms,
11 and that's -- but I remember that scene --

12 Q. All right.

13 A. -- the placement of the people in that
14 room.

15 Q. Now, other than the regional manager
16 and -- You said who was standing to the left?

17 A. Kristi.

18 Q. Okay. Other than the regional manager
19 and Kristi, can you remember whether there was
20 anyone at the room at the time -- in the room at
21 the time these statements were made other than
22 people who were being trained?

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1 A. No.

2 Q. Okay. No, you can't remember; or no,
3 there was no one else?

4 A. I can't remember.

5 Q. Can you remember whether or not there
6 were any men in the room?

7 A. There were no men in the room.

8 Q. All right. Now, the regional manager
9 who you can recall in the mental picture you have
10 standing to the right, do you remember the name of
11 that regional manager?

12 A. No.

13 Q. Do you remember what she looked like?

14 A. Yes.

15 Q. Can you please tell me what --

16 A. She had long black hair. She was
17 wearing a black cape.

18 MR. WETCHLER: Off the record.

19 (Discussion off the record.)

20 BY MR. WETCHLER:

21 Q. All right. Let's go back on the
22 record and please excuse my interruption.

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1 A. Okay.

2 Q. All right. Directing your attention
3 to the third paragraph in Burroughs Exhibit No. 1,
4 the one that starts, "A woman named Anastasia," do
5 you see that?

6 A. Yes.

7 Q. Can you recall anything being said by
8 Kristi O'Brien at the training session on the
9 subject of hiring men other than what's described
10 in that third paragraph?

11 A. No.

12 Q. Other than the people who were being
13 trained, did anyone say anything about the hiring
14 of men in addition to Kristi O'Brien at the
15 training session?

16 A. Yes.

17 Q. Who did?

18 A. I can't tell you a name.

19 Q. Is that described at all in the third
20 paragraph here?

21 A. Yes.

22 Q. Okay. Can you please tell me what

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1 statements you're referring to?

2 A. Repeat your question.

3 Q. Sure.

4 A. Please.

5 Q. Sure. Can you please tell me what was
6 said at the training session about the subject of
7 hiring men other than by Kristi O'Brien or anyone
8 who was being trained?

9 A. No.

10 Q. Was there anything said about the
11 subject of hiring men at the training session by
12 someone other than Kristi O'Brien and the people
13 being trained?

14 A. No.

15 Q. All right. So the regional manager
16 who was wearing a cape --

17 A. Mm-hmm.

18 Q. -- to the best of your recollection
19 didn't say anything about the hiring of men during
20 the training session; is that right?

21 A. I can't recall.

22 Q. One way or the other?

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1 A. Right.

2 Q. Other than the -- going to sort of ask
3 you the same question but in a different way just
4 to make sure I understand what happened.

5 Other than Kristi O'Brien and the
6 people who were being trained, did anyone say
7 anything at the training session about the hiring
8 of men?

9 A. You said other than Kristi and the
10 people at the training?

11 Q. The people being trained.

12 A. Being trained, no.

13 Q. All right. To the best of your
14 recollection, did any member of LA Weight Loss's
15 management say anything at any training session
16 about the hiring of men other than Kristi O'Brien?

17 A. Not at a training session.

18 Q. All right. Directing your attention
19 to the last page of Burroughs No. 1, can you
20 please read out loud the last thing you wrote on
21 that page in your handwriting.

22 A. "I informed Donna I had a male

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1 Applicant & she said not to tell him About the
2 Commissions."

3 Q. Did Donna say anything else to you
4 about hiring men other than that?

5 A. There was other -- another part of
6 that conversation, yes, but I can't recall what it
7 was.

8 Q. Can you remember anything that Donna
9 said to you about hiring men or not hiring men or
10 how to handle men who were looking for work at LA
11 Weight Loss other than what you've just read from
12 the last page of your statement?

13 A. Could we go off the record so I can
14 clarify?

15 Q. Well, you know, if it's okay with you,
16 and if it's okay with Ms. Quinlan, probably better
17 to clarify it while the court reporter takes it
18 down. That way, we'll know what everybody said
19 when the transcript's created later.

20 You can clarify it any way you'd like,
21 ma'am.

22 A. I was talking with her by phone, "her"

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1 being Donna, by phone. And I said I have -- She
2 asked me if I had applications.

3 And I said, "I have quite a few
4 applications, yes." I said, "but there's a male
5 applicant, and he's already called, and I have
6 spoken with him, and he's very interested in the
7 position."

8 And she said, "You remember not to
9 tell him about the commissions because men do not
10 work in these positions."

11 Q. All right. All right. Other than
12 that statement Donna made to you and the
13 statements that Kristi O'Brien made during the
14 training session, can you recall anyone else who
15 was in management at LA Weight Loss saying
16 anything on the subject of hiring or not hiring
17 men?

18 A. No.

19 Q. All right. Now, directing your
20 attention, Ms. Burroughs, to the second page of
21 Burroughs Exhibit No. 1, the way I count, I want
22 to direct your attention to the fourth paragraph